

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION FINAL PLAT – BEACON VIEW LOT 27

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104 (Reissue 1997), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 23-103 (Reissue 1997), the powers of the County as a body are exercised by the County Board of Commissioners (County Board); and,

WHEREAS, the County Board has the authority to adopt a Subdivision Regulation, which shall have the force and effect of law pursuant to Neb. Rev. Stat. § 23-374 (Reissue 1997); and,

WHEREAS, said Subdivision Regulation requires the County Board to approve applications for a final plat; and

WHEREAS, the applicant, Beacon View Inc. has applied for approval of a final plat of a subdivision to be known as Beacon View Lot 27, on the following described property, to wit:

Tax Lot 2, also known as Government Lot 2, Part of the W ½ of Section 29, Township 13N, Range 10E of the 6th P.M. Sarpy County, Nebraska.
(Highway 6 and the Platte River).

WHEREAS, Rebecca Horner, Planning Director has reviewed the application for a final plat of a subdivision to be known as Beacon View Lot 27 for compliance with the Subdivision Regulation; and

WHEREAS, the Planning Director has made a recommendation of approval as noted in Exhibit A, attached hereto and incorporated by reference, which Exhibit A includes the Planning Director report and the aerial map of the subject property; and

WHEREAS, Exhibit B is attached hereto and incorporated by reference and includes a copy of the final plat of the subdivision to be known as Beacon View Lot 27.

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS THAT this County Board makes the following findings of fact:

- I. A public hearing regarding the approval of the final plat was held on November 19, 2008 before the Sarpy County Planning Commission. The Planning Commission provided their recommendation to the County Board.
- II. A public hearing regarding the approval of the final plat was held by this County Board.
- III. Notice of each of the public hearings described above was published at least once in the ten (10) day period immediately prior to each respective public hearing.
- IV. This County Board has previously approved the preliminary plat.
- V. Rebecca Horner, Planning Director has recommended approval of the final plat.
- VI. The proposed final plat of a subdivision to be known as Beacon View Lot 27 is in conformity with the preliminary plat, the Zoning Regulation, the Subdivision Regulation and the Sarpy County Comprehensive Plan;

BE IT FURTHER RESOLVED THAT the final plat of a subdivision to be known as Beacon View Lot 27, as described in the attached Exhibit B is hereby approved.

Dated this 27th day of January 2009.

Moved by Rich Jansen seconded by Tom Richards, that
the above Resolution be adopted. Carried.

YEAS:

NAYS:

ABSENT:

[Signature]
[Signature]
[Signature]
Tom Richards
Patrick J. Thomas

none

none

ABSTAIN:

none

Approved as to form:

[Signature]
County Attorney

[Signature]
County Clerk



Sarpy County Board of Commissioners Report
January 27, 2009

Subject	Type	By
Final Plat for Beacon View Lot 27, legally described as being a platting of Tax Lot 2, also known as Government Lot 2, Part of the W 1/2 of Section 29, Township 13N, Range 10E of the 6 th P.M. Sarpy County, Nebraska. (Highway 6 and the Platte River)	Resolution and public hearing	Rebecca Horner, Planning Director

This is a request for approval of a final plat at approximately Highway 6 and the Platte River, of one lot and one outlot. The new lot provides a platted lot for an existing single family home.

- Preliminary Plat and Change of Zone
 - Beacon View Preliminary Plat was approved in August 2001. An amendment to the Preliminary Plat to add six additional residential lots, Change of Zone and Comprehensive Plan Amendment were approved in February 2008.
 - Lot 27 is shown on and consistent with the approved amended preliminary plat in 2008.

- Subdivision and Subdivision Agreement
 - The final plat has been revised to provide all information required by the Planning Commission staff report in conformance with the Sarpy County Subdivision Regulations.

- Natural Resources
 - The Natural Resources District does not object to the platting of Lot 27 and Outlot 6 as they are consistent with an agreement the NRD made with the Beacon View Homeowners Association for the platting of six additional lots.

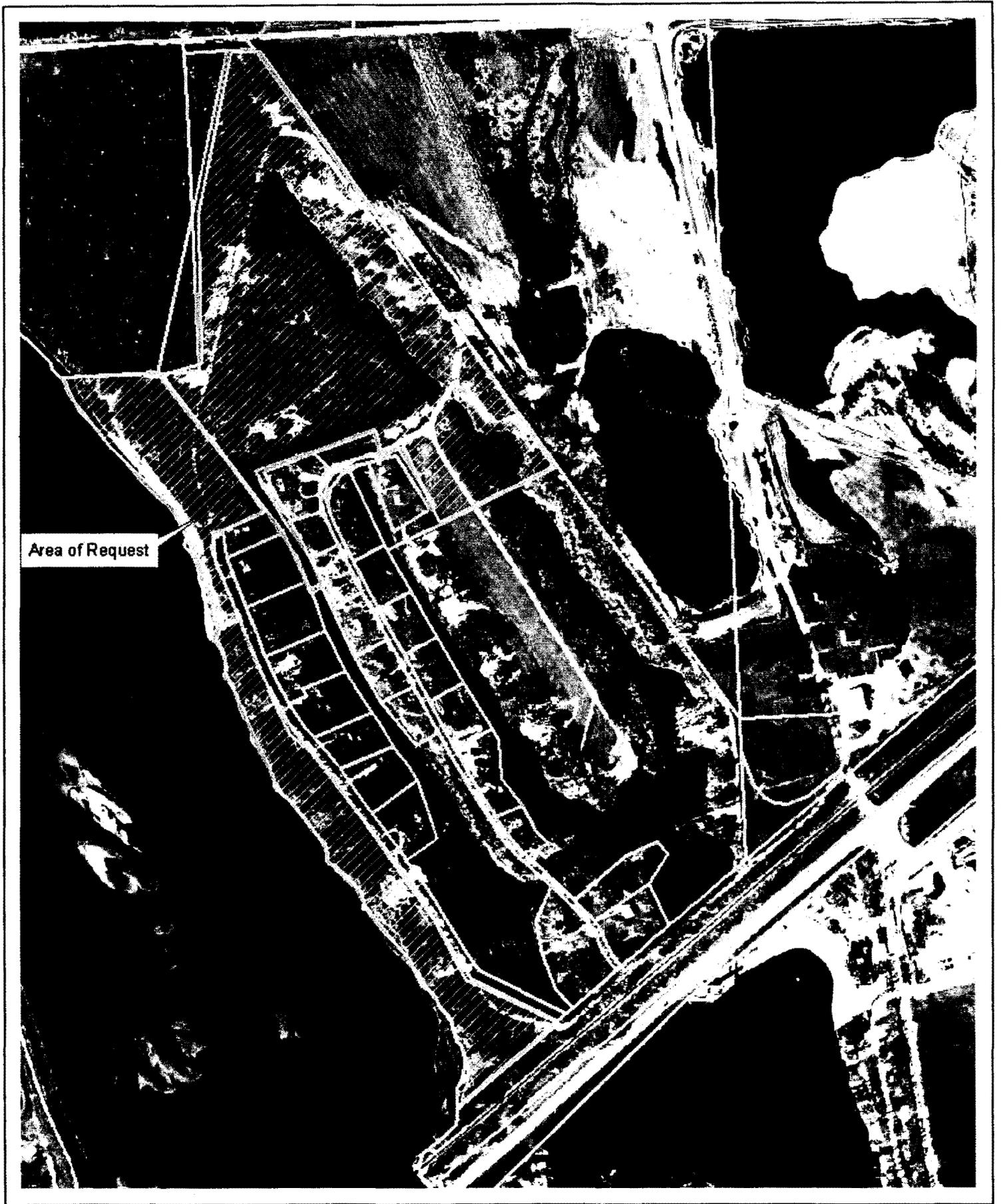
- Planning Commission Action
 - The Planning Commission voted 6-1 on November 19, 2008, with the following motion:
*Bliss moved, seconded by Gross to recommend approval of the Final Plat contingent upon resolution of staff comments and other requirements. Ballot: Ayes – Bliss, Gonzalez, Gross, Torczon, Wees and Whitfield. Nays – Krebs. Abstain – none. Absent – Dunbar, Fenster, Marquardt and Wear. **Motion carried.***
 - There was testimony in opposition by a Schramm Association for a Viable Environment member.

- Recommendation
 - The final plat addresses the minimum design standards required in the Subdivision Regulations.
 - The request is in conformance with the preliminary plat, Zoning Regulations and Comprehensive Plan.
 - For the above stated reasons, I recommend approval to the final plat.

Respectfully submitted by:



Rebecca Horner
Planning Director



Beacon View Lot 27 Final Plat



Exhibit B

BEACON VIEW

LOT 27 AND OUTLOT 6
BEING A PLATTING OF PART OF TAX LOT D2A1 AND PART OF GOVERNMENT LOT 2 (A.K.A. TAX LOT 2) IN SECTION 29, T13N, R10E OF THE 6th P.M., SARPY COUNTY, NEBRASKA AND A REPLATTING OF LOT 14, BEACON VIEW, A SUBDIVISION IN SAID SARPY COUNTY.

ACCEPTANCE BY SARPY COUNTY REGISTER OF DEEDS

COUNTER _____ C.E. _____ FILED FOR RECORD _____ AT _____ M
VERIFY _____ D.E. _____ INSTRUMENT # _____
PROOF _____
FEES \$ _____
CHECK # _____
CHARGE _____ CASH _____
LLOYD J. DOWING
REGISTER OF DEEDS SARPY COUNTY, NE

DATE
12/10/08
DRAWN BY
MRS
CHECKED BY
DHN
REVISION

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, BEACON VIEW INCORPORATED, BEING THE OWNERS OF THE LAND DESCRIBED WITHIN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO A LOT AND AN OUTLOT TO BE NUMBERED AS SHOWN, SAID SUBDIVISION TO BE HEREINAFTER KNOWN AS BEACON VIEW, AND WE DO HEREBY INVITE AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT AND WE GRANT A PERPETUAL EASEMENT TO THE OMAHA PUBLIC POWER DISTRICT, QWEST CORPORATION AND ANY COMPANY WHICH HAS BEEN GRANTED A FRANCHISE TO PROVIDE A CABLE TELEVISION SYSTEM IN THE AREA TO BE SUBDIVIDED, THEIR SUCCESSORS AND ASSIGNS, TO ERECT, OPERATE, MAINTAIN, REPAIR, AND RENEW POLES, WIRES, CROSSARMS, DOWN GUYS AND ANCHORS, CABLES, CONDUITS AND OTHER RELATED FACILITIES AND TO EXTEND THEREIN WIRES OR CABLES FOR THE CARRYING AND TRANSMISSION OF ELECTRIC CURRENT FOR LIGHT, HEAT, AND POWER FOR THE TRANSMISSION OF SIGNALS AND SOUNDS OF ALL KINDS AND THE RECEPTION THEREOF, INCLUDING SIGNALS PROVIDED BY A CABLE TELEVISION SYSTEM AND THEIR RECEPTION, ON, OVER, THROUGH, UNDER AND ACROSS A FIVE (5') FOOT WIDE STRIP OF LAND ABUTTING THE LOT LINES OF LOT 27. NO PERMANENT BUILDINGS, TREES, RETAINING WALLS OR LOOSE ROCK WALLS SHALL BE PLACED IN SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, SWINGS, LANDSCAPING, SIDEWALKS, DRIVEWAYS AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS HEREBY GRANTED.

BEACON VIEW INCORPORATED

BY: _____
BILL HAYES, CHAIRMAN

ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA
COUNTY OF SARPY) s.s.

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2008 BY BILL HAYES, CHAIRMAN OF BEACON VIEW INCORPORATED ON BEHALF OF SAID CORPORATION.

NOTARY PUBLIC

SARPY COUNTY TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES, DUE OR DELINQUENT, AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT, AS SHOWN ON THE RECORDS OF THIS OFFICE THIS _____ DAY OF _____, 2008.

RICH JAMES, SARPY COUNTY TREASURER

APPROVAL OF SARPY COUNTY PLANNING COMMISSION

THIS PLAT OF BEACON VIEW WAS APPROVED BY THE SARPY COUNTY PLANNING COMMISSION THIS _____ DAY OF _____, 2008.

THOMAS WEES, CHAIRMAN

APPROVAL OF SARPY COUNTY PLANNING DIRECTOR

THIS PLAT OF BEACON VIEW WAS APPROVED BY SARPY COUNTY PLANNING DIRECTOR THIS _____ DAY OF _____, 2008.

REBECCA HORNER, PLANNING DIRECTOR

APPROVAL OF SARPY COUNTY BOARD OF COMMISSIONERS

THIS PLAT OF BEACON VIEW WAS APPROVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS THIS _____ DAY OF _____, 2008.

JONI M. JONES, CHAIRMAN

DEBRA J. HOUGHTALING, SARPY COUNTY CLERK

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT A BOUNDARY SURVEY WAS MADE UNDER MY DIRECT SUPERVISION FOR THE SUBDIVISION DESCRIBED HEREON AND THAT PERMANENT MARKERS HAVE BEEN FOUND OR SET AT ALL ACCESSIBLE CORNERS OF SAID BOUNDARY AND THAT PERMANENT MARKERS HAVE BEEN SET AT ALL ACCESSIBLE LOT CORNERS AND ANGLE POINTS WITHIN SAID SUBDIVISION TO BE KNOWN AS BEACON VIEW, LOT 27 AND OUTLOT 6, BEING A PLATTING OF PART OF TAX LOT D2A1 AND PART OF GOVERNMENT LOT 2 (A.K.A. TAX LOT 2) IN SECTION 29, T13N, R10E OF THE 6th P.M., SARPY COUNTY, NEBRASKA, AND A REPLATTING OF LOT 14, BEACON VIEW, A SUBDIVISION IN SAID SARPY COUNTY, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST NORTHERLY CORNER OF LOT 6, SAID BEACON VIEW, THENCE S87°03'28" (ASSUMED BEARING) 131.68 FEET ON THE NORTH LINE OF SAID LOT 6 TO THE MOST WESTERLY CORNER THEREOF; THENCE NORTHWESTERLY ON THE NORTHEAST LINE OF OUTLOT 2, SAID BEACON VIEW, ON A NON-TANGENT 4377.75 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N23°30'37" W, CHORD DISTANCE 167.98 FEET AN ARC DISTANCE OF 167.97 FEET; THENCE CONTINUING NORTHWESTERLY ON THE NORTHEAST LINE OF SAID OUTLOT 2 ON A 598.83 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N15°46'05" W, CHORD DISTANCE 68.83 FEET, AN ARC DISTANCE OF 70.00 FEET TO THE MOST SOUTHERLY CORNER OF OUTLOT 4, SAID BEACON VIEW; THENCE NORTHWESTERLY ON THE SOUTHWEST LINES OF SAID OUTLOT 4 ON THE FOLLOWING DESCRIBED 3 COURSES; THENCE N12°38'02" E 83.24 FEET; THENCE N60°00'00" E 69.33 FEET; THENCE N64°08'17" E 68.06 FEET TO THE NORTHEAST CORNER OF SAID OUTLOT 4; THENCE N76°42'27" E 36.86 FEET ON THE SOUTH LINE OF SAID OUTLOT 2 TO THE MOST WESTERLY CORNER OF LOT 13, SAID BEACON VIEW; THENCE S17°13'35" E 271.19 FEET ON THE WEST LINE OF SAID LOT 13; THENCE N59°02'11" E 181.78 FEET ON THE SOUTH LINE OF SAID LOT 13 AND ON THE SOUTH LINE OF OUTLOT 3, SAID BEACON VIEW; THENCE N30°17'33" W 283.57 FEET ON THE NORTHEAST LINE OF SAID OUTLOT 3 TO THE NORTHEAST CORNER THEREOF; THENCE S74°42'27" W 73.00 FEET ON THE NORTH LINE OF SAID OUTLOT 3 TO THE SOUTHWEST CORNER OF LOT 12, SAID BEACON VIEW; THENCE W13°17'33" W 84.86 FEET ON THE EAST LINE OF SAID LOT 12; THENCE S70°44'18" W 237.78 FEET ON THE NORTH LINE OF SAID LOT 12; THENCE S73°39'58" W 228.95 FEET ON THE NORTH LINE OF LOT 11, SAID BEACON VIEW; THENCE S27°06'04" E 221.80 FEET ON THE SOUTHWEST LINE OF SAID LOT 11; THENCE S31°40'10" E 185.36 FEET ON THE SOUTHWEST LINE OF OUTLOT 1, SAID BEACON VIEW; THENCE S29°08'01" E 25.03 FEET ON THE SOUTHWEST LINE OF LOT 10, SAID BEACON VIEW TO THE SOUTH LINE OF SAID TAX LOT D2A1; THENCE S66°45'31" W 44.84 FEET ON THE SOUTH LINE OF SAID TAX LOT D2A1 TO THE NORTHEAST LINE OF LOT 24, SAID BEACON VIEW; THENCE N20°55'37" W 124.00 FEET ON THE NORTHEAST LINES OF SAID LOT 24 AND LOT 25, SAID BEACON VIEW; THENCE N32°55'50" W 108.85 FEET ON THE NORTHEAST LINE OF SAID LOT 25 TO THE MOST NORTHERLY CORNER THEREOF; THENCE N28°13'53" W 108.54 FEET ON THE NORTHEAST LINE OF LOT 26, SAID BEACON VIEW TO THE NORTHEAST CORNER THEREOF; THENCE S67°08'54" W 108.31 FEET ON THE NORTH LINE OF SAID LOT 26; THENCE S85°25'16" W 67.35 FEET ON THE NORTH LINE OF SAID LOT 28 TO THE NORTHWEST CORNER THEREOF; THENCE S89°46'45" W 40.00 FEET ON THE NORTH LINE OF OUTLOT 5, SAID BEACON VIEW; THENCE SOUTHEASTERLY ON THE SOUTHWEST LINES OF SAID OUTLOT 5 ON THE FOLLOWING DESCRIBED 18 COURSES; THENCE S24°13'16" E 110.42 FEET; THENCE S29°42'27" E 105.82 FEET; THENCE S20°44'34" E 90.20 FEET; THENCE S18°22'11" E 201.14 FEET; THENCE S23°12'28" E 102.07 FEET; THENCE S24°28'16" E 103.28 FEET; THENCE S32°10'38" E 108.54 FEET; THENCE S38°38'13" E 108.05 FEET; THENCE S38°12'18" E 101.37 FEET; THENCE S33°48'28" E 304.78 FEET; THENCE S34°04'17" E 102.17 FEET; THENCE S32°30'48" E 89.71 FEET; THENCE S29°13'03" E 200.83 FEET; THENCE S29°45'44" E 112.74 FEET; THENCE S61°37'21" E 380.10 FEET TO THE MOST SOUTHERLY CORNER OF SAID OUTLOT 5; THENCE S21°16'14" W 486.00 FEET ON THE NORTHWEST LINE OF THE DUBLINGTON NORTHERN RAILROAD RIGHT OF WAY TO THE NORTHEAST BANK OF THE PLATE RIVER; THENCE NORTHWESTERLY ON THE NORTHEAST BANK OF THE PLATE RIVER ON THE FOLLOWING DESCRIBED 17 COURSES; THENCE N1°00'00" E 130.00 FEET; THENCE N18°30'00" W 200.00 FEET; THENCE N33°30'00" W 280.00 FEET; THENCE N30°30'00" W 120.00 FEET; THENCE N44°00'00" W 136.00 FEET; THENCE N20°00'00" E 50.00 FEET; THENCE N42°00'00" W 180.00 FEET; THENCE N60°00'00" W 70.00 FEET; THENCE N30°00'00" W 300.00 FEET; THENCE N30°00'00" W 50.00 FEET; THENCE N27°00'00" W 150.00 FEET; THENCE N20°00'00" W 270.00 FEET; THENCE N11°00'00" W 120.00 FEET; THENCE N14°00'00" W 400.00 FEET; THENCE N26°30'00" W 170.00 FEET; THENCE N40°00'00" W 500.00 FEET; THENCE N37°15'00" W 113.84 FEET TO THE SOUTH LINE OF TAX LOT G1 IN SAID SECTION 29; THENCE S89°07'03" E 348.08 FEET ON THE SOUTH LINE OF SAID TAX LOT G1 AND ON THE SOUTH LINE OF TAX LOT G2 IN SAID SECTION 29 TO THE SOUTHWEST CORNER OF SAID TAX LOT G2; THENCE N00°01'47" W 986.17 FEET ON THE EAST LINE OF SAID TAX LOT G2 TO THE NORTH CORNER THEREOF; THENCE N1°45'12" E 432.83 FEET ON THE NORTHWEST LINE OF SAID TAX LOT D2A1 TO THE NORTHWEST CORNER THEREOF; THENCE N09°38'50" E 103.37 FEET ON THE NORTH LINE OF SAID TAX LOT D2A1 TO THE NORTHEAST CORNER THEREOF; THENCE S33°18'11" E 1830.56 FEET ON THE NORTHEAST LINE OF SAID TAX LOT D2A1 TO THE SOUTHWEST CORNER THEREOF; THENCE S06°45'31" W 719.22 FEET ON THE SOUTH LINE OF SAID TAX LOT D2A1 TO THE NORTHEAST LINE OF SAID LOT 6; THENCE N27°30'52" W 21.80 FEET ON THE NORTHEAST LINE OF SAID LOT 6 TO THE POINT OF BEGINNING.

CONTAINING 44.8 ACRES MORE OR LESS.

JANUARY 7, 2009
DATE



DAVID H. NEEF
NEBRASKA RLS 475

APPROVED BY SARPY COUNTY SURVEYOR

THIS PLAT OF BEACON VIEW WAS APPROVED BY THE SARPY COUNTY SURVEYOR THIS _____ DAY OF _____, 2008.

THOMAS A. LYNN
SARPY COUNTY SURVEYOR

BEACON VIEW
SHEET 1 OF 2
FINAL PLAT

THOMPSON, DREESSEN & DORNER, INC.
Consulting Engineers & Land Surveyors
10836 OLD MILL ROAD OMAHA, NEBRASKA 68154
P. 402.330.8860 F. 402.330.8866 WWW.TD2CO.COM



1216-107-1
BOOK
06-13
PAGE
6-10
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Additional Information

SARPY COUNTY BOARD OF COMMISSIONERS

JANUARY 27, 2009

FINAL PLAT

BEACON VIEW LOT 27

APPLICATION FOR A PRELIMINARY/FINAL PLAT
SMALL SUBDIVISION
OFFICE OF THE SARPY COUNTY
PLANNING & BUILDING DIRECTOR

SEP 26 2008

SARPY COUNTY
PLANNING DEPARTMENT

Name of proposed subdivision Beacon View

Pursuant to Section 5,6,7&8 of the Sarpy County Subdivision Regulations, application is hereby made to the Sarpy County Planning & Building Coordinator requesting: a preliminary/final plat of a subdivision to be known as Beacon View, Lots 27 through 31, a Subdivision in Sarpy County, Nebraska

On the following described property, to wit: Part of the NW1/4 of Section 29, T13N, R10E of the 6th P.M., Sarpy County, Nebraska

Property Location: Highway 6 and the Platte River

There is hereby deposited with the Sarpy County Planning & Building Coordinator the sum of \$200.00 which I understand is a non-refundable fee. I respectfully request the Sarpy County Planning Commission and the Sarpy County Board of Commissioner to hold a Public Hearing on this matter after giving prior notice of the time, place and purpose of said hearing, as provided by law.

Property Owners Information:

Name Beacon View, Inc.
Address 1576 S. 28th Street
City, St, Zip Lincoln, NE 68502 Phone (402) 202-8962

Developer's Information: (if different than owner)

Name Same
Address _____
City, St, Zip _____ Phone _____

Engineer's Information:

Name Thompson, Dreessen & Dorner, Inc.
Address 10836 Old Mill Road
City, St, Zip Omaha, NE 68154 Phone (402) 330-8860

Property Information:

Land Use:
Existing: vacant Proposed: Residential
Zoning:
Existing: AG-FP Proposed: RD50-FP
Area (Sq Ft/Acres): 6.5 Acres

The following information must be submitted at time of application and verified by the Planning and Permits Department.

- Application Fee
- Twenty (20) blue lines
- One reduced copy of plat (8 1/2 x 11 or 8 1/2 x 14)
- Three (3) mylar copies (15" x 26")
- One (1) reduced mylar (1" to 400')
- Subdivision Agreement
- Written Statement of Authorization from all property owners
- All Preliminary/Final Plat information required in Section 5,6,7&8 of the Sarpy County Zoning Ordinance and Subdivision Regulations

I/We, the undersigned, do hereby acknowledge that I/We do fully understand and agree to comply with the provisions of Section 5, 6, 7, & 8 of the Sarpy County Zoning Ordinance and Subdivision Regulations.

Signature of Owner

Date

[Handwritten Signature]
101

09/24/08

Signature of Owner

Date

To the Sarpy County Board of Commissioners:

We, the Sarpy County Planning Commission, recommend that the foregoing application be _____

Chairman, Sarpy County Planning Commission

Dated this _____ day of _____, 20____.

Be it resolved by the Board of County Commissioners of Sarpy County that the foregoing application be

Dated this _____ day of _____, 20____.

Moved by: _____ Seconded by: _____

Yeas: _____

Nays: _____

Abstain: _____

Absent: _____

Attest: _____
Sarpy County Clerk

Chairman Sarpy County Board of Commissioners

SEP 26 2008

SARPY COUNTY
PLANNING DEPARTMENT

**SARPY COUNTY
PLANNING COMMISSION
STAFF REPORT
NOVEMBER 19, 2008 AGENDA
FINAL PLAT – BEACON VIEW FIRST ADDITION
FP-08-0051**

I. GENERAL INFORMATION

A. APPLICANT & PROPERTY OWNER:

Beacon View Inc.
1576 S. 28th Street
Lincoln, NE 68502

B. LOCATION: Highway 6 & Platte River

C. LEGAL DESCRIPTION:

Part of the SW ¼ of the NW ¼ of Section 29, Township 13N, Range 10E of the 6th P.M. Sarpy County, Nebraska

D. REQUESTED ACTION:

To approve a final plat for a lot to be known as Beacon View First Addition.

E. EXISTING ZONING: Undeveloped, RD-50-FP.

F. SIZE OF SITE: 1.29 acres, more or less

II. BACKGROUND INFORMATION

A. COMPREHENSIVE PLAN SPECIFICATIONS:

The Comprehensive Plan shows the area as Greenway. (Figure 5.1)

The Comprehensive Plan shows the projected land use for this area is public open space and public facilities, agriculture, resource extraction with remediation, agricultural and very low density residential with the possibility of comprehensively planned developments designed for maximum resource conservation. (Page 56)

The Comprehensive Plan states that flexibility should be maintained to permit master planned developments and any such developments must involve self-contained, development-wide management of wastewater and must maximize conservation of environmental resources. (Page 56)

B. EXISTING CONDITION OF SITE: Undeveloped

C. GENERAL VICINITY AND LAND USE:

Undeveloped, zoned AG-FP to the north
Residential, zoned RD-50-FP to the south
Residential and outlot, zoned RD-50-FP to the east
Platte River to the West

D. RELEVANT CASE HISTORY:

Beacon View Preliminary Plat was approved in August 2001. An amendment to the Preliminary Plat, Change of Zone and Comprehensive Plan Amendment were approved in February 2008.

- E. APPLICABLE REGULATIONS:**
Zoning Regulations, Subdivision Regulations and Comprehensive Plan.

III. ANALYSIS AND DEVELOPMENT ALTERNATIVES

A. REQUEST:

To approve a final plat of a subdivision to be known as Beacon View 1st Addition.

B. LAND USE/COMPREHENSIVE PLAN:

1) This is a request to plat one lot from an existing parcel of land. The preliminary plat for Beacon View was originally approved with 26 lots. Subsequently to that approval an application for an addition to the original preliminary plat was requested to add five building lots; Lots 27-31. These five lots are "replacement lots" where the applicant indicated that they would not be adding to the number of homes in Beacon View, just replacing lots for someone who loses their existing home due to flooding, fire or a buyout from the NRD. These lots must meet all flood plain regulations. The Comprehensive Plan was amended to provide for five additional lots in the Platte River Environmental Development District. The Planning Commission approved the request noting that there would be no increase in net density. The applicant should note which lot for which Lot 27 is the replacement. This should be noted on the plat drawing.

C. GENERAL

- 1) There are several revisions necessary for the plat to be in conformance with the Subdivision Regulations. These include:
- The plat drawing should be revised to reflect the name of the plat at "Beacon View 1st Addition" since it is a duplicate named plat.
 - Show the location of permanent markers on the plat drawing.
 - The County Surveyor approval block should be revised to indicate the plat was "approved by" Sarpy County Surveyor versus "reviewed by" the County Surveyor.
 - The approval block for the chairperson of the Board needs to indicate the chair of the County Board at the time the plat is signed.
 - Label the road easement that provides access to the new lot.
 - State Statute requires that the entire parcel be included in the plat. The plat needs to be revised to reflect the entire lot showing the residential lot and the remaining portion as an outlot.
- 2) Comments were received from the City of Gretna, City of Papillion and the NRD that indicated no objections to the proposed plat.

IV. RECOMMENDATION: Approve the final plat contingent upon resolution of staff comments.

V. COPIES OF REPORT TO:

Applicant
Public upon request

VI. ATTACHMENTS:

Application, Site Plan, Aerial, Additional materials as applicable

Report prepared by:



Rebecca Horner, Planning Director

Michelle Alfaro

From: Grint, Amanda [agrint@papionrd.org]
Sent: Wednesday, October 15, 2008 12:03 PM
To: Michelle Alfaro
Subject: Beaconview, Application No. FP-08-0051

Hi Michelle,

I realize that we are late with these comments...hope to get caught up on all the items we have discussed in the last few days. Anyway, the District does not have any comments on the Final Plat application for Beaconview Lot 27.

Thanks,

Amanda

Amanda Grint, PE, CFM
Water Resources Engineer
Papio-Missouri River NRD
8901 South 154th Street
Omaha, NE 68138
402.444.6222
direct line 402.315.1722
www.papionrd.org

Michelle Alfaro

From: Donna Lynam [Donna@cityofgretna.com]
Sent: Tuesday, September 30, 2008 12:28 PM
To: Michelle Alfaro
Subject: RE: Zoning Review - Final Plat Application - Beacon View

Michelle,

The City of Gretna has no comment on the proposed Final Platting. This does not include any comments that the Gretna Fire Chief may have.

Thank you,

Donna Lynam

Zoning Admin/Building Insp
City of Gretna
P O Box 69
Gretna, NE 68028
(402)332-3336 x3
donna@cityofgretna.com

From: Michelle Alfaro [mailto:malfaro@sarpy.com]
Sent: Monday, September 29, 2008 3:45 PM
To: Michelle Alfaro
Subject: FW: Zoning Review - Final Plat Application - Beacon View

Additional attachments for your review. My apologies, the scanner was not working.

From: Michelle Alfaro
Sent: Monday, September 29, 2008 3:37 PM
To: Michelle Alfaro
Subject: Zoning Review - Final Plat Application - Beacon View

Please review the attached Application for Final Plat. Please submit any comments you may have by **Friday, October 10, 2008.**

Thank you,

Michelle Alfaro

Planning Assistant
Sarpy County Planning Department
1210 Golden Gate Drive,
Papillion, NE 68046
Office: 402-593-1555
Fax: 402-593-1558

C4

Michelle Alfaro

From: Mark Stursma [mstursma@papillion.org]
Sent: Tuesday, September 30, 2008 10:57 AM
To: Michelle Alfaro
Subject: RE: Zoning Review - Final Plat Application - Beacon View

No comment.

Mark Stursma, AICP
Planning Director

City of Papillion
122 E Third Street
Papillion, NE 68046

(402) 597-2060

From: Michelle Alfaro [mailto:malfaro@sarpy.com]
Sent: Monday, September 29, 2008 3:37 PM
To: Michelle Alfaro
Subject: Zoning Review - Final Plat Application - Beacon View

Please review the attached Application for Final Plat. Please submit any comments you may have by **Friday, October 10, 2008.**

Thank you,

Michelle Alfaro
Planning Assistant
Sarpy County Planning Department
1210 Golden Gate Drive,
Papillion, NE 68046
Office: 402-593-1555
Fax: 402-593-1558

AFFIDAVIT OF PUBLICATION

State of Nebraska}

ss.

County of Sarpy}

JAN 15 2009

SARPY COUNTY
PLANNING DEPARTMENT

Being duly sworn, upon oath, Shon Barenklau deposes and says that he is the Publisher or Paul Swanson deposes and says that he is the Marketing Director of the **Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor**, a legal newspaper with a bonafided circulation of 300 copies published in Bellevue, Papillion, Gretna and Springfield, Nebraska; and said newspaper has been published for at least 52 consecutive weeks prior to publication of attached notice: that said publications are of general circulations: that the attached notice was published 1 times on:

Wednesday, January 14, 2009

And that said newspaper is a legal newspaper under the statutes of the State of Nebraska. The above facts are within my personal knowledge.

Shon Barenklau
Publisher

OR

Paul Swanson
Marketing Director

SARPY COUNTY
DEPARTMENT OF PLANNING
Sarpy County Courthouse
1210 Golden Gate Drive
Papillion, Nebraska 68046
Phone (402) 593-1555
Fax (402) 593-1558
Rebecca Horner, Director

NOTICE OF PUBLIC HEARING
SARPY COUNTY BOARD
OF COMMISSIONERS

Notice is hereby given that a regular meeting of the Sarpy County Board of Commissioners will be held on Tuesday, January 27, 2009, at 3:00 P.M. in the Sarpy County Board Room, Sarpy County Administration, Papillion, Nebraska.

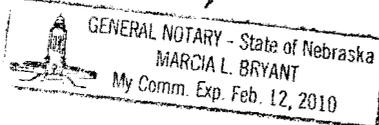
Beacon View Inc., 4209 S. 149th Street, requests approval of Final Plat of a subdivision to be known as Beacon View Lot 27, on the following described property to wit: Tax Lot 2, also known as Government Lot 2, Part of the W 1/2 of Section 29, Township 13N, Range 10E of the 6th P.M. Sarpy County, Nebraska. (Highway 6 and the Platte River)

Dowd Grain request a text amendment to the Section 32 Highway Corridor Overlay District of the Sarpy County Zoning Regulations. 11984051-1/14

Today's Date 01-13-2009

Signed in my presence and sworn to before me:

Notary Public



Printer's Fee \$ 14.98

Customer Number: 000947

Order Number: 11984051



Office of the County Attorney

Hall of Justice • 1210 Golden Gate Drive • Suite 3147
Papillion, NE 68046-2889
(402) 593-2330 • FAX: (402) 593-4359

L. Kenneth Polikov
Sarpy County Attorney

MEMORANDUM

January 22, 2009

TO: Sarpy County Clerk
RE: Beacon View Final Plat – Change in Legal Description

Beacon View has submitted a final plat for the January 27, 2009 county board agenda. There has been a change in the legal description between now and the planning commission.

The final plat was advertised as follows for the November 19, 2008 planning commission meeting:

Beacon View Inc., 4209 S. 149th Street, requests approval of Final Plat of a subdivision to be known as Beacon View First Addition, on the following described property, to wit: Tax Lot 2, Part of the SW ¼ of the NW ¼ of Section 29, Township 13N, Range 10E of the 6th P.M. Sarpy County, Nebraska. (Highway 6 and the Platte River)

The final plat was advertised as follows for the January 27, 2009 county board meeting:
Beacon View Inc., 4209 S. 149th Street, requests approval of Final Plat of a subdivision to be known as Beacon View Lot 27, on the following described property, to wit: Tax Lot 2, also known as Government Lot 2, Part of the W ½ of Section 29, Township 13N, Range 10E of the 6th P.M. Sarpy County, Nebraska. (Highway 6 and the Platte River)

Essentially, the applicant's engineering firm provided the final plat documents to the planning department with the different legal description. Although the legal description was not the same, it was still accurate. Thus, a decision was made to allow the applicant to move forward with the new legal description. The change in legal description, while not a usual occurrence, is not a violation under Nebraska law. Based upon the information provided to me by the planning department, it is my opinion that proper notice was given as required under Nebraska law.

Please contact me with any questions.

Regards,

Nicole O'Keefe
Deputy Sarpy County Attorney

AFFIDAVIT OF PUBLICATION

State of Nebraska}

ss.

County of Sarpy}

Being duly sworn, upon oath, Shon Barenklau deposes and says that he is the Publisher or Paul Swanson deposes and says that he is the Marketing Director of the **Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor**, a legal newspaper with a bonafided circulation of 300 copies published in Bellevue, Papillion, Gretna and Springfield, Nebraska; and said newspaper has been published for at least 52 consecutive weeks prior to publication of attached notice: that said publications are of general circulations: that the attached notice was published 1 times on:

Wednesday, November 5, 2008

And that said newspaper is a legal newspaper under the statutes of the State of Nebraska. The above facts are within my personal knowledge.

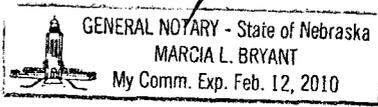


Shon Barenklau OR Paul Swanson
Publisher Marketing Director

Today's Date 11-04-2008
Signed in my presence and sworn to before me:



Notary Public


GENERAL NOTARY - State of Nebraska
MARCIA L. BRYANT
My Comm. Exp. Feb. 12, 2010

**NOTICE OF PUBLIC HEARING
SARPY COUNTY
PLANNING COMMISSION**

Notice is hereby given that a regular meeting of the Sarpy County Planning Commission will be held on Wednesday, November 19, 2008, at 7:00 P.M. in the Sarpy County Board Room, Sarpy County Administration, Papillion, Nebraska.

Beacon View Inc., 4209 S. 149th Street, requests approval of Final Plat of a subdivision to be known as Beacon View First Addition, on the following described property, to wit: Tax Lot 2, Part of the SW 1/4 of the NW 1/4 of Section 29, Township 13N, Range 10E of the 6th P.M. Sarpy County, Nebraska. (Highway 6 and the Platte River)

Sarpy County requests a text amendment to the Sarpy County Zoning Regulations, Section 38 of the Storm Water Management and Chapter 32, Highway Corridor Overlay District and Section 6 of the Subdivision Regulations for the Preliminary Plat and Supplemental Data.

Sarpy County Planning Department
Rebecca Homer, Director
11977797-11/5

Printer's Fee \$ 13.69
Customer Number: 000947
Order Number: 11977707